

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## PATENT APPLICATION

Inventor(s): DUNCAN et al.

Appln. No.: 09

531,266

Series Code ↑

Filed: March 20, 2000

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT LETTER

TECH CENTER 1600/2900 Date: May 14, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

## FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim		
A. <input checked="" type="checkbox"/> NOT made	For B & C	
B. <input type="checkbox"/> Withdrawn	See Required	
C. <input type="checkbox"/> made herewith	Separate Paper	
D. <input type="checkbox"/> made previously	(Pat. 256)	

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	80	**minus	80	0	x \$18/\$9 =	+ \$0 103/203
3. Independent Claims	7	***minus	7	0	x \$84/\$42 =	+ \$0 102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....		add		+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: May 25, 2000	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =				115/215
	(2 mos)	\$400/\$200 =		+ \$0		116/216
	(3 mos)	\$920/\$460 =				117/217
	(Usable only for ≤ 2mo.OA --- 4 mos)	\$1,440/\$720=				118/218
	(Usable only for 30 day/1mo.OA --- 5 mos)	\$1,960/\$980=				128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0			
8.				Extension Fee	+ \$0	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....		+ \$110/\$55		+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), .....	add	+ \$180		+ \$0		126
or if Rule 97(d) Request .....	add	+ \$180		+ \$0		126
11. After-Final Request Fee per rules 129(a) and 17(r) .....		+ \$740/370		+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b).....		x \$740/370 ea		+ \$0		149/249
13. Request for Continued Examination (RCE) .....		+ \$740/370		+ \$0		1179/1279
14. Petition fee for .....			+ \$0			
15.			TOTAL FEE =	\$0		
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						

Our Deposit Account No. 03-3975)

(Our Order No. 21123 258100

C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Michael A. Sanzo Reg. No. 36912

1600 Tysons Boulevard

McLean, VA 22102

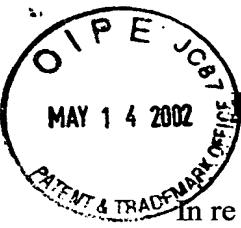
Tel: (703) 905-2000

Atty/Sec: MAS/AMX

Sig: Andrew McLeavy 50,535 Fax: (703) 905-2500  
for Dr. Sanzo Tel: (703) 905-2173

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

#15/E  
mb  
05/20/02



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TECH CENTER 1600/2900

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In re patent application of:

Dunican, et al.

Appl. No.: 09/531,266

Filed: March 20, 2000

For: **New Nucleotide Sequences  
Which Code for the TAL Gene**

Art Unit: 1652

Examiner: Steadman, D.

Atty. Dkt. 21123/258100

**Response to Notice of Non-Compliant Amendment**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice of Non-Compliant Amendment dated April 25, 2002, and further to a May 2, 2002 teleconference with Examiner Steadman, Applicants enclose a duplicate copy of the Amendment filed on April 11, 2002 with an Appendix (numbered as pages 12-14) attached. The Appendix is captioned "Version with Markings to Show Changes Made."

Applicants' representatives appreciate Examiner Steadman's assistance in resolving this issue. If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to telephone Applicants' representatives at (703) 905-2173.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: Andrew McAleavy  
Andrew McAleavy  
Reg. No. 50,535

Date: May 14, 2002  
1600 Tysons Boulevard  
McLean, Virginia 22102  
(703) 905-2000

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TECH CENTER 1600/22



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Dunican, *et al.*

Appl. No.: 09/531,266

Filed: March 20, 2000

For: **New Nucleotide Sequences  
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Art Unit: 1652

Examiner: Steadman, D.

Atty. Dkt. 21123/258100

**Amendment and Response Under 37 C.F.R. §1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action dated December 14, 2001, Applicants respectfully request reconsideration of the above-captioned application in view of the following amendments and remarks.

**Amendments**

**In the Abstract**

Please delete the text of the abstract presently in the application from page 40. Please add the following text in its place:

*C*  
-- The invention is directed to DNA sequences from coryneform bacteria which encode a protein having transaldolase enzymatic activity. The invention also encompasses methods for the fermentative production of L-amino acids using bacteria in which the gene encoding transaldolase is amplified. --

**In the Specification:**

On page 1 of the application, after the title and immediately above the text on line 2, please add the heading -- Field of the Invention --.